



U.S. Department of Justice

Criminal Division

LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

Via ECF

August 30, 2021

Application **GRANTED**. The Government is no longer required to submit status letters. The stay of this case is lifted. The parties shall file a joint letter proposing next steps and any deadlines by **September 10, 2021**.

SO ORDERED.

The Honorable Lorna G. Schofield, United States District Judge
United States District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, New York, NY 10007

Date: August 31, 2021
New York, New York

Re: *United States v. Alexander Burns and Andrew Scherr*, 18-cv-9477

Dear Judge Schofield:

As directed in the Court's Order dated June 10, 2019, the Government submits this report on the status of the pending criminal proceedings against Andrew Scherr and Robert McGraw.

The government's last status letter in the above-captioned matter was filed on July 13, 2021. In that letter, the government noted that Mr. McGraw was sentenced on June 14, 2021. The government also indicated that defendant Andrew Scherr was scheduled to be sentenced in the Northern District of Texas before the Honorable Karen Gren Scholer on August 4, 2021. The sentencing hearing was held on that date, and after due consideration of the parties' written submissions and allocutions, Judge Scholer imposed a sentence of 60 months imprisonment, five years of supervised release, and restitution in the amount of \$286,328,056.

Given that the criminal proceedings against Mr. Scherr have concluded, the government does not oppose lifting the stay in this case. Furthermore, the government respectfully requests that it no longer be ordered to provide the Court with a status report every 45 days after the date of this letter, as directed by the Court in its June 10, 2019 Order.

Respectfully submitted,

/s/ Danny Nguyen
Danny Nguyen
U.S. Department of Justice

cc: Timothy Capozzi, Esq. (by email)
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